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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,607	06/20/2006	Jun Nishikawa	09812.0098	2625
22852	7590	04/28/2009		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER JOHNSTON, PHILLIP A	
			ART UNIT	PAPER NUMBER
			2881	
			MAIL DATE	DELIVERY MODE
			04/28/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/583,607

**Applicant(s)**

NISHIKAWA ET AL.

**Examiner**

PHILLIP A. JOHNSTON

**Art Unit**

2881

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2009.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 14-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 20 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-850)  
Paper No(s)/Mail Date 6-2006; 5-2007; 2-2009; 4-2009  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**Detailed Action**

1. This Office Action is submitted in response to the Restriction/Election filed 2-19-2009, wherein the Group II claims 14-20 were elected. Claims 14-20 are pending.

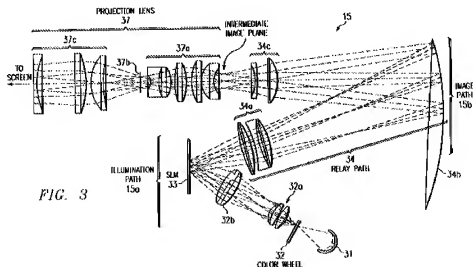
**Claims Rejection - 35 U.S. C. 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 14 is rejected under 35 U.S.C. 102 (b) as being anticipated by Davis, U. S. Patent No. 6,619, 804.

4. Regarding claim 14, Davis discloses at Col. 3, line 38-67; and Col. 4, line 1-33; the projection display apparatus shown below in Figure 3 that includes the following;



(a) Light source 31,

(b) Modulator SLM 33 that modulates the light source based on digitized video signals. See Col. 3, line 22-37

(c) A first optical system that includes the optical elements on Illumination path 15a and Relay path 34,

(d) A second optical system that includes optical elements on Image path 15b and Projection optics 37,

(e) An optical path represented by the three ray bundles shown in Figure 3 above, which reflect from the center and extremities of modulator SLM 33 (the primary imaging surface Col. 1, line 27-43), where the light first crosses the optical axis in light path 34 then reflects off the concave mirror 34b and crosses the optical axis again at the intermediate image plane then travels through the projection optics to the screen (the secondary image surface).

### ***Claims Rejection – 35 U.S.C. 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 14, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiller, USPN, 6,233,024, in view of Davis, 6,619,804, and in further view of Cotton, USPN 6719,430.

7. Regarding claim 14, Hiller teaches a video projection system at Col. 7, line 10-63 and shown in Figure 1 below including projection assembly 1 that contains a light

source; optics and a modulator for scanning a light bundle in two dimensions off a plane mirror 3 to a screen 2.

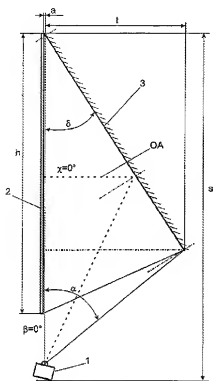


Fig. 1

8. Hiller fails to teach a projection optical system for enlarged projection from a primary image surface toward the modulation means to a secondary image surface toward a screen, wherein the projection optical system includes: a first optical system that forms an intermediate image of the primary image surface; and a second optical system having a concave reflector that forms the secondary image surface according to the intermediate image, wherein a light beam travels from the center of the primary image surface to the center of the secondary image surface, crosses an optical axis of the first optical system, reflects on the concave reflector, crosses the optical axis again, and reaches the secondary image surface.

Davis discloses a projection display apparatus shown above in Figure 3 that includes the following;

(a) A first optical system that includes the optical elements on Illumination path 15a and Relay path 34,

(b) A second optical system that includes optical elements on Image path 15b and Projection optics 37,

(c) An optical path represented by the three ray bundles shown in Figure 3 above, which reflect from the center and extremities of modulator SLM 33 (the primary imaging surface Col. 1, line 27-43), where the light first crosses the optical axis in light path 34 then reflects off the concave mirror 34b and crosses the optical axis again at the intermediate image plane then travels through the projection optics to the screen (the secondary image surface). See Col. 3, line 38-67; and Col. 4, line 1-33.

Davis modifies Hiller to provide an optical engine that provides for a high contrast, telecentric, on-axis image by a relay path between the modulator and the projection lens, where the relay path places the image at an intermediate image plane accessible by a projection lens.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that Hiller would use the optical engine of Davis to provide a modulation based projection optical apparatus that combines characteristics of both telecentric and non-telecentric designs in order to provide a display having optimum contrast. Col. 2, line 24-31.

8. Regarding claims 16 and 17, Hiller discloses at Col. 7, line 10-35; and line 55-63 a screen disposed in a housing or cabinet as shown in Figure 1 above having a video picture reflected onto the back of the screen from a plane mirror at the top of the cabinet via an optical system located at the bottom of the cabinet, where the viewer is located in front of the screen, which one of ordinary skill recognizes would require a transmissive screen.

9. Regarding claims 18 and 19, Hiller discloses at col. 4, line; and col. 5, line 1-4, a screen and a Fresnel lens whose object-side focal point is imaged in the exit pupil of the magnification optics or of the deflecting device and whose Fresnel structure lies on the light entrance side considered in the direction of light, followed by a disk for vertical and horizontal scattering.

10. Regarding claim 20, Hiller discloses at Col. 5, line 5-23, a plane reflector positioned immediately before the screen and optimizing the projected image with respect to the size of the cabinet by varying the angle  $\delta$  between the screen and the plane reflector while varying the deflection angle  $\alpha$  between the screen and light beam furthest from (outmost) the screen, which one of ordinary skill recognizes that the angular relationship of Hiller would include the claimed angular range for the tangent of angle  $\alpha$ .

11. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hiller, USPN, 6,233,024, in view of Davis, 6,619,804, and in further view of Cotton, USPN 6,719,430.

12. Regarding claim 15, the combination of Hiller and Davis discloses all limitations of claim 15, as described above regarding claim 14, but fails to disclose first and second optical systems having rotationally symmetric optical surfaces.

Cotton discloses the use of substantially rotationally symmetric lens groups in a projection display apparatus. Col. 8, line 46-50.

Cotton modifies the combination of Hiller and Davis to provide rotationally symmetric optical elements for the correction of optical aberrations in a projection system while maintaining the ability to produce an image on a tilted image plane that is corrected for anamorphic distortion.

Therefore it would have been obvious to one of ordinary skill in the art that the combination of Hiller and Davis would use the rotationally symmetric optical surfaces of Cotton, in order to spread out the optical power of the cylindrical elements thereby providing an optical system having a reduced optical path that produces an accurate image on a screen, which does not suffer from improperly focused images and image distortions. Col. 2, line 28-36.

### ***Conclusion***

13. Any inquiry concerning this communication or earlier communications should be directed to Phillip Johnston whose telephone number is (571) 272-2475. The examiner can normally be reached on Monday-Friday from 7:00 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor Robert Kim



can be reached at (571)272-2293. The fax phone number for the organization where the application or proceeding is assigned is 571 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJ

April 17, 2009

/ROBERT KIM/

Supervisory Patent Examiner, Art Unit 2881

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